

## EXHIBIT "B"

### HEIGHT VARIANCE JUSTIFICATION

#### SUMMARY

JM AUTO, INC. d/b/a JM LEXUS ("JM Lexus") is an automobile dealership located at 5350 Sample Road, Margate, Florida 33073 (the "Property"). The Property is subject to the requirements of the City of Margate Land Development Regulations zoning classification Regional Business B-2A District Section 11.½.5 Height Limitation. JM Lexus is proposing to remove portions of buildings on the Property and add a parking garage structure that exceeds the height requirements of the B-2A zoning district.

#### REQUEST

Zoning District B-2A Section 11.½.5 limits the height of buildings to ranges from 25 feet to 60 feet depending on the use. Given the unique characteristics of the Property, the City, in 2003, granted an exception to these height limitations. The proposed parking garage requires a zoning variance to allow the following height per the plans submitted by JM Lexus to the Development Review Committee. The granting of the variance would result in three cornerstone towers features (one contains a stairwell) at seventy-nine feet and six inches (79'6") and one cornerstone tower feature at eighty-five feet and six inches (85'6"). This tower houses an elevator and a stairwell. The parking deck is at seventy feet and six inches (70'6") and the parapet wall is seventy-four feet (74') in height. The southeast corner of the garage facing nearby residents begins at sixty-four feet and six inches (64'6") and is gradually raised to sixty-seven feet (67') then seventy feet and six inches (70'6") as it recedes from the residents' property towards Sample Road. The request is to allow the parking garage to be granted a variance to allow the height as set forth above and in Exhibit "C".

#### REQUIREMENTS TO COMPLY

1. That special conditions and circumstances exist which are peculiar to the land, structures or buildings involved, and which are not applicable to other lands, structures or buildings in the same zoning district.

Response: JM Lexus reviewed the site and determined in order to comply with the height limitation most of the site would be a parking garage and as such would not be in compliance with Margate code for traffic circulation, emergency vehicle access and areas available for surface water retention and flow management. Given the size of the site and the physical characteristics of the site the proposed parking garage is a way to solve these issues.

2. That the special conditions and/or circumstances do not result from actions of the applicant.

Response: JM Lexus continues to be the world's number one volume Lexus dealer and the size limitation and physical shape of the Property limits its ability to store cars to maintain inventory. JM Lexus is also subject to dealership guidelines established by Toyota for the maintenance of its dealership and requirements for the Property. These proposed improvements meet updated

requirements and as such allow JM to continue to maintain its dealership rights with Toyota and comply with Toyota's guidelines. These requirements are not a result of the actions of JM Lexus.

3. That granting a variance will not confer a special privilege that is denied by the Code to other lands, buildings or structures in the same zoning district.

Response: JM Lexus is the only property subject to B-2A zoning in Margate but the B-2 and B-3 properties near the Property have height limitations of 100 feet. Therefore the granting of a variance will not confer any special privileges.

4. That a literal interpretation of the regulations of the Code would deprive the applicant of rights shared by other property owners holding property in the same zoning district under the terms of the Code and would cause unnecessary and undue hardship on the applicant.

Response: Not applicable as the Property is the only B-2A in the City and the request is for less height than the B-2 and B-3 zoning allowed nearby.

5. That the variance being granted is the minimum variance that will make possible the reasonable use of land, buildings or structures.

Response: The variance requested is the minimum that allows for emergency vehicles unencumbered access, traffic circulation on site and provides for the appropriate water management and retention to be accomplished on site.

6. That the approval of the variance will be harmonious with the general intent and purpose of this chapter and that such variance will not degrade the area involved or be detrimental to public welfare.

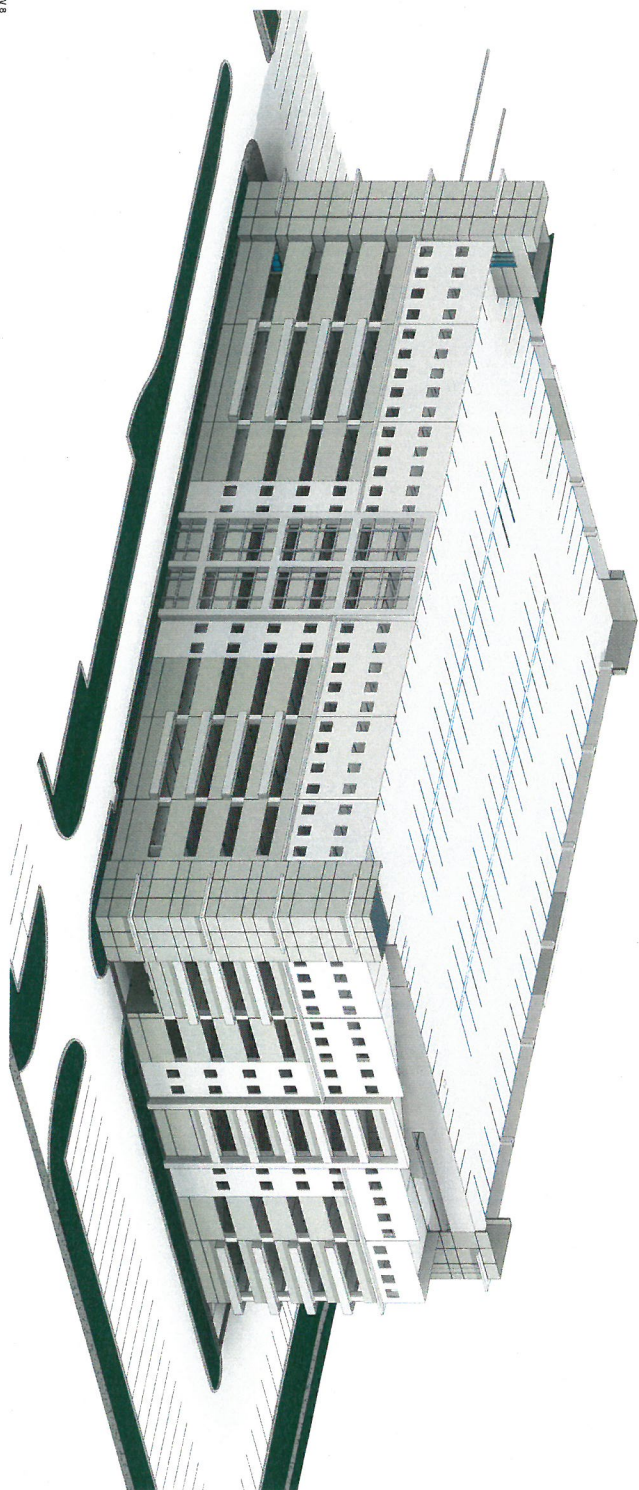
Response: The parking garage improvement will enhance the dealership and the surrounding area and is harmonious with the previous approved variance and the general intent and purpose of the B-2A zoning.

7. That the variance does not serve to permit a use not permitted in the zoning district involved.

Response: The variance would not permit a use not allowed in a B-2A District.

### **CLOSING**

JM Lexus respectfully requests the grant of the variance to allow JM Lexus to improve its Property to continue to be one of the premier Lexus automobile dealerships in the country and to continue to comply with automobile dealership guidelines associated with Lexus dealerships.



① EXTERIOR ELEVATION-SOUTH  
3/32" = 1'-0"



## A-6.1

EXTERIOR ELEVATION

JM LEXUS OF MARGATE

5350 W SAMPLE RD,  
MARGATE, FL 33073



**STILES**  
ARCHITECTURAL GROUP

301 East Las Olas Blvd  
Fort Lauderdale, Florida  
954-627-9180 33301  
FL. REG # AA-26001798

PROJECT NO. Project Number  
DRAWN BY: Author  
CHECKED BY: Checker  
DATE: 04/24/17

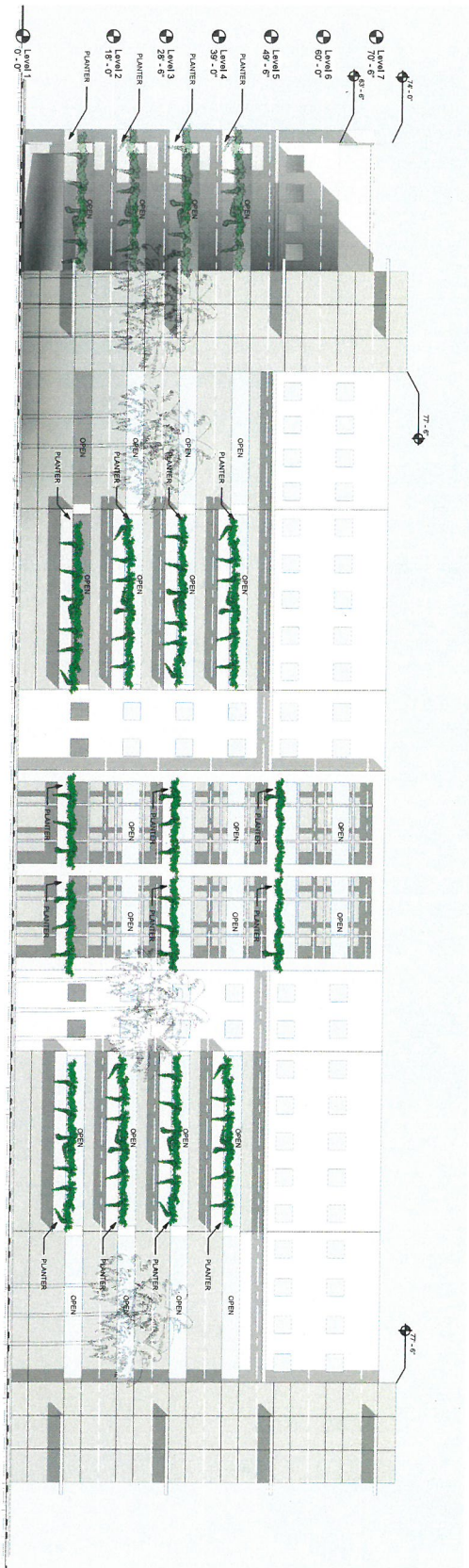
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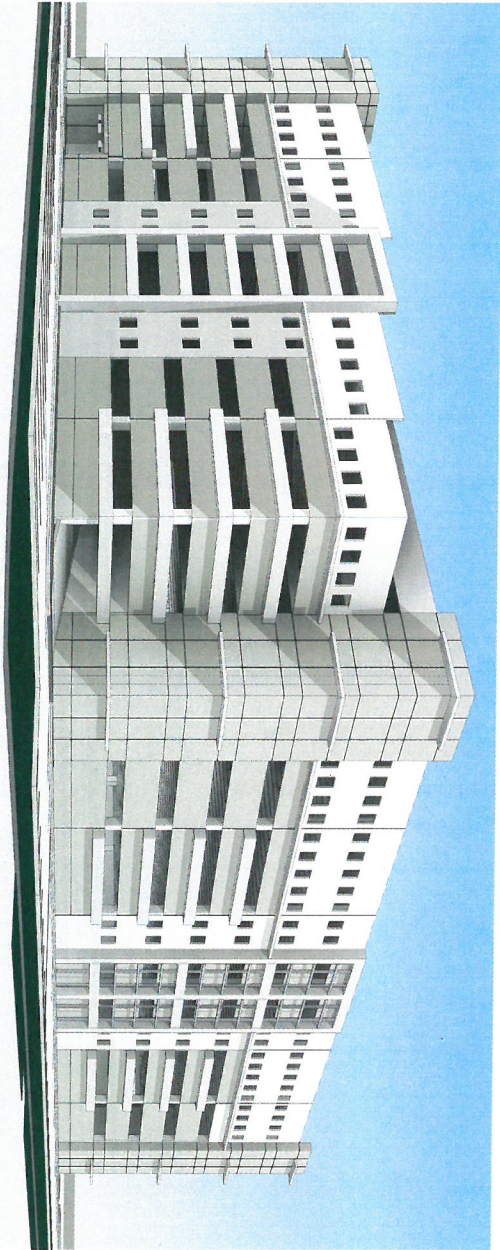
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① EXTERIOR ELEVATION - EAST  
3/32" = 1'-0"



② PERSPECTIVE VIEW



A-6.2

EXTERIOR ELEVATION

A PROPOSED PARKING GARAGE AND CAR WASH BUILDING  
FOR:  
**JM LEXUS OF MARGATE**  
5350 W SAMPLE RD,  
MARGATE, FL 33073



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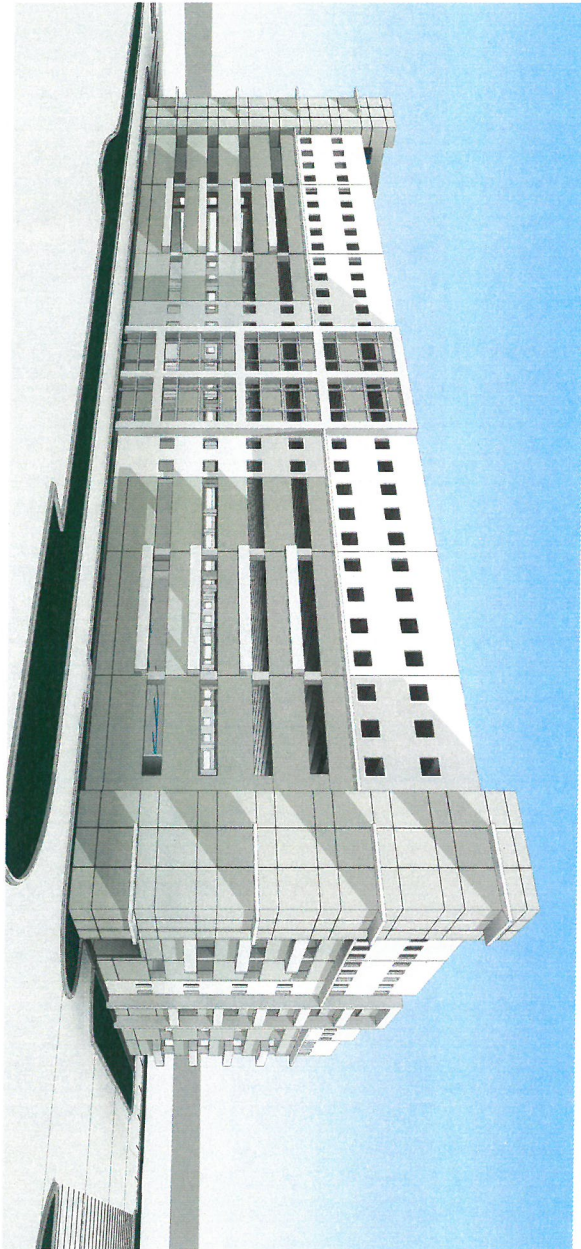
CONSULTANT

NO.	REVISIONS	DATE

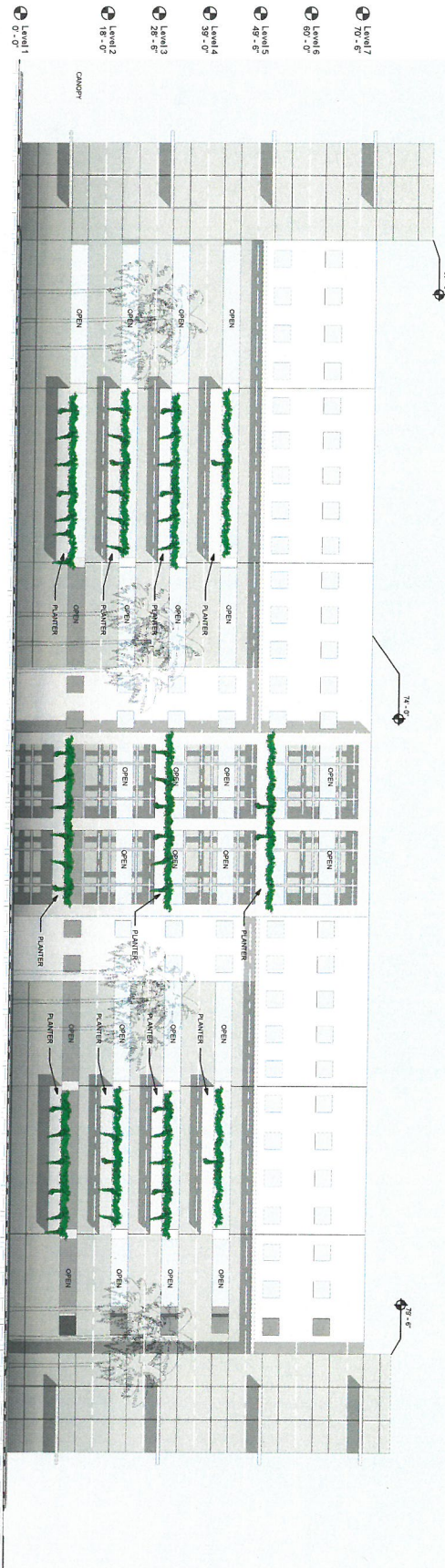
PROJECT NO. PROJECT NAME  
DRAWN BY: ALFRED  
CHECKED BY: CHUCK  
DATE: 06/24/17



3 PERSPECTIVE VIEW



1 EXTERIOR ELEVATION WEST  
Size = 1/8"



A-6.3

EXTERIOR ELEVATION

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CONSULTANT

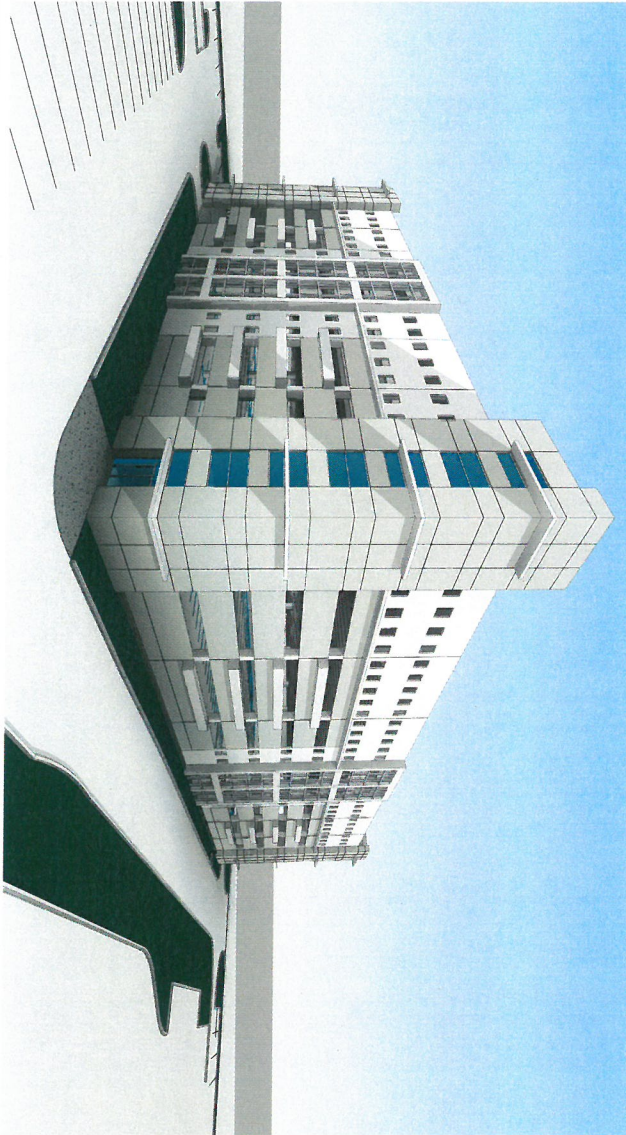
REVISIONS	
NO.	DESCRIPTION

PROJECT NO. Project Name  
DRAWN BY: Author  
CHECKED BY: Checker  
DATE  
04/24/17



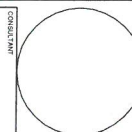


1 EXTERIOR NORTH ELEVATION  
3/32" = 1'-0"



2 FRONT PERSPECTIVE VIEW

NO.	DATE	REVISIONS	BY	CHK



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A PROPOSED PARKING GARAGE AND CAR WASH BUILDING  
FOR:  
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MARGATE, FL 33073

EXTERIOR ELEVATION

A-6.4

PROJECT NO. PROJECT NUMBER  
DRAWN BY: ADAM  
CHECKED BY: CHANW  
DATE: 06/02/17